

## **MEMORANDUM FOR HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES**

**FROM: JANICE R. LACHANCE  
DIRECTOR**

**SUBJECT: OPM Director's Award for Outstanding  
Alternative Dispute Resolution Programs**

I am pleased to announce the first annual OPM Director's Award for Outstanding Alternative Dispute Resolution (ADR) Programs. This new award has been established to recognize outstanding ADR programs that are focused on resolving internal employee workplace disputes. The award supports President Clinton's May 1, 1998, memorandum (copy attached) to Heads of Executive Departments and Agencies advocating ADR.

The President's memorandum directed that each Federal agency take steps to promote greater use of mediation, arbitration, early neutral evaluation, agency ombuds, and other alternative dispute resolution techniques. In addition, the memorandum called on Attorney General Reno to convene an Alternative Dispute Resolution Working Group to facilitate, encourage, and provide coordination to help agencies establish ADR programs.

In support of the President's directive and the Attorney General's efforts, OPM has initiated this award to publicly recognize and showcase successful agency ADR programs. Since OPM serves as the Government's central personnel agency, the award focuses only on those ADR programs that involve resolution of Federal employee workplace disputes such as those that might otherwise be resolved through formal employee grievance, appeal, or complaint processes. These are the types of matters addressed by the Attorney General's Workplace Section portion of the ADR Working Group.

The award is intended to recognize the initiatives of organizations that use a wide variety of approaches to making dispute resolution in the Federal Government more efficient and effective. Outstanding programs are able to demonstrate how a targeted investment of time and resources can return long-term benefits and savings to those organizations using them.

The attached materials provide complete information on program eligibility and selection criteria. Nominations are due by April 2, 1999. If you have any questions, you may contact Gary Wahler of OPM's Employee Relations and Health Services Center on (202) 606-2920 or via email at [gdwahler@opm.gov](mailto:gdwahler@opm.gov).

Attachments

cc: Directors of Personnel  
General Counsels  
Agency Dispute Resolution Specialists  
Offices of Equal Employment Opportunity/Civil Rights

# **1999 OPM DIRECTOR'S AWARD FOR OUTSTANDING ALTERNATIVE DISPUTE RESOLUTION PROGRAMS**

## **Purpose**

The OPM Director's Award for Outstanding ADR Programs is intended to:

- Recognize those Federal organizations that are providing innovative and effective ADR programs;
- Encourage the establishment and improvement of highly effective ADR programs throughout the Government; and
- Publicize exemplary ADR programs so they may serve as models for other Federal agencies.

## **Scope of Award Program**

The use of ADR in workplace disputes increases the parties' opportunities to resolve disputes prior to formal administrative procedures and litigation. ADR is often less costly and time consuming, and can provide long term solutions to employee-employer conflicts through stakeholders' participation and buy-in. In contrast, traditional dispute resolution often imposes a "solution" handed down by a third party, where neither party walks away satisfied, and the disputants' conflict continues or increases. ADR programs often focus on disputes that might otherwise be pursued in the formal equal employment opportunity (EEO) process and typically use the services of a neutral person or persons to help the resolution process. Programs typically identify some process for the retention of neutrals and outstanding programs include some means to evaluate program effectiveness. ADR programs range from the informal to the formal and involve small organizations as well as large.

## **Nomination Eligibility**

Each department and agency may submit an unlimited number of nominations. Nominations may describe an entire agency program, a regional installation program, or a facility-level program. For purposes of this award, each department within the Department of Defense and the Office of the Secretary of Defense is considered a separate agency.

## **Selection Criteria**

OPM encourages organizations to focus their nominations on those elements of their programs that have made contributions to effective and efficient resolution of workplace disputes and have contributed to organizational effectiveness. The following selection criteria will be applied in assessing award nominations. While nominations should address each of the major criteria in some manner, the questions asked are illustrative only, and responses will vary according to the size and type of agency or organization within an agency that operates the program.

### **A. Program Development**

- Why was the program established and what facilitated its development?
- How were obstacles to development of the program overcome?
- What are the goals and objectives of the program?
- What types of workplace disputes are covered or excluded by the program?
- What type of ADR technique(s), e.g., mediation, does the program use?

### **B. Program Administration**

- How does the program work (procedural steps) for individual disputes?
- How is the program staffed and funded?
- How is the program publicized and its use encouraged (required)?
- How is the program integrated with other programs in your agency, e.g., EAP?
- What internal factors, e.g., budget, affect your program and how?

### **C. Retention of Neutrals**

- What procedures are used by the program to obtain the services of neutrals?
- What criteria does the program use in determining who qualifies as a neutral?
- What are the costs of using neutrals and how are those costs paid?
- How long does it take for neutrals to become involved after their need is established?
- If employee/neutrals are used, how are they trained and what is the training cost?

### **D. Training**

- How are agency personnel trained to recognize when and how to use ADR?
- What processes are in place to assess training needs and how do they work?
- How does the program judge the success of training already provided?
- Who does the training, who receives it, and how are its costs paid?
- How do (could) other agencies or organizations benefit from your training?

## **E. Program Evaluation and Results**

- What types of records are used to ascertain the benefits of ADR?
- What concrete cost-savings, including agency staff time, has the program provided?
- How has the program affected dispute resolution processing times and resolution rates?
- What types of specific positive effects can be attributed to the program?
- How has the program changed the culture of your organization?

Supporting materials which the agency or organization believes will assist in the review of the nomination may be submitted in a file attached to the nomination. Such materials could include policy statements, agency regulations, brochures, illustrations, photographs, presentation slides, awards, newspaper and periodical articles, etc.

## **Submission of Nominations**

Please prepare nominations **in triplicate** using the attached form and submit to:

U.S. Office of Personnel Management  
Director's Award for Outstanding Alternative Dispute Resolution Programs  
Employee Relations and Health Services Center  
1900 E Street, NW.--Room 7425  
Washington, DC 20415-2000

Questions about the nomination process or the award itself may be directed to Gary Wahlert of the Employee Relations and Health Services Center at OPM by telephone at (202) 606-2920 or by email at [gdwahler@opm.gov](mailto:gdwahler@opm.gov).

## **Nominations Due Date**

All nominations must be received at OPM by **April 2, 1999**, to ensure sufficient time in which to carefully review, evaluate, and select the most outstanding programs.

## **Selection of Award Winners**

A blue-ribbon panel of judges with backgrounds in ADR will assist OPM by reviewing the nominations and recommending award winners to the Director of OPM. The Director will review these recommendations and make final selections for the awards. The number of awards granted will be determined on the basis of the number and quality of nominations received. Equal consideration will be afforded to both small and large organizations. The winning organizations will receive plaques recognizing their ADR program excellence at a public event in late spring 1999.

# ***NOMINATION FORM***

## **OPM DIRECTOR'S AWARD FOR OUTSTANDING ALTERNATIVE DISPUTE RESOLUTION PROGRAMS**

Please type all information requested and attach a description of the nominated program **in triplicate**.  
*The program description should address each of the selection criteria contained in the award announcement.*

### **1. Nominee**

Name of Agency, Department, or Organization

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Name of Organization Submitting Nomination

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Name of Program Being Nominated

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Address

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### **2. Contact Person if Further Information is Needed**

Name

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Title

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Address

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Telephone No.

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Fax No.

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Email

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### **3. Agency Official to Whom Formal Correspondence is to be Sent**

Name

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Title

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Address

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Telephone No.

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Fax No.

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Email

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**Nominations are due by April 2, 1999.**